

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

SUNBELT CHLOR ALKALI PARTNERSHIP)

Complainant)

v.)

NORFOLK SOUTHERN RAILWAY COMPANY)

and)

UNION PACIFIC RAILROAD COMPANY)

Docket No. NOR 42130

**ENTERED
Office of Proceedings**

NOV 15 2011

**Part of
Public Record**

MOTION FOR PROCEDURAL SCHEDULE

Complainant, Sunbelt Chlor Alkali Partnership ("Sunbelt"), respectfully requests that the Surface Transportation Board ("STB" or "Board") adopt the following procedural schedule in this proceeding:

Feb. 6, 2012	Discovery Closes
April 9, 2012	Joint submission of operating characteristics
June 1, 2012	Opening Evidence
October 1, 2012	Reply Evidence
Feb. 6, 2013	Rebuttal Evidence
March 8, 2013	Final Briefs

The parties continue to engage in mediation, which expires on November 23, 2011. Although the parties will not be able to resolve their differences before that date, all three are committed to continuing their discussions beyond the end of the formal mediation period.

Defendants, Norfolk Southern Railway Company ("NS") and Union Pacific Railroad Company ("UP") (collectively "Defendants"), have authorized counsel for Sunbelt to represent that Defendants do not object to this Motion. However, their authorization is predicated upon Sunbelt's acknowledgment that, if Sunbelt and UP are unable to reach a settlement, the above-requested procedural schedule will need to be extended in order to permit sufficient time for the

Board to decide UP's "Motion for Partial Dismissal or, in the Alternative, Expedited Determination of Jurisdiction Over Challenged Rates," filed on September 26, 2011, which has been held in abeyance during the mediation period at the request of the parties by the Board's decision served on October 5, 2011. UP and Sunbelt also would require additional time to engage in discovery, which they have deferred during the mediation period.¹

Therefore, Sunbelt requests that the Board adopt the above procedural schedule without prejudice to an extension if Sunbelt and UP are unable to reach a settlement prior to January 1, 2012.

Respectfully submitted,



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November 15, 2011

¹ Because Sunbelt and NS have not agreed to defer their discovery, they are presently in a position to meet the proposed procedural schedule, if UP is dismissed from this case by settlement.

CERTIFICATE OF SERVICE

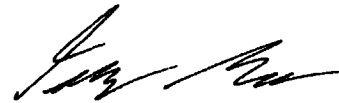
I hereby certify that I have caused the Complaint to be served by express overnight courier, this 15th day of November 2011, on:

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